

**AN ORDINANCE BY
CITY UTILITIES COMMITTEE**

13-0190

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO WAIVE THE PROVISIONS CONTAINED IN CHAPTER 138, ARTICLE II, DIVISION 6, SECTION 138-60 ENTITLED "FLAGS, BANNERS, SIGNS, DISPLAYS" OF THE CITY OF ATLANTA CODE OF ORDINANCES AND SPECIFICALLY WAIVING THE BANNER DEPOSIT FEE OF ONE THOUSAND DOLLARS (\$1,000.00) PURSUANT TO CODE SECTION 138-60(a)(7), THE BANNER PERMIT FEE OF ONE HUNDRED DOLLARS (\$100.00) PURSUANT TO CODE SECTION 138-60(a)(8) AND ALL PER BANNER AND PER DAY FEES PURSUANT TO CODE SECTIONS 138-60(a)(8)b.1. AND 138-60(a)(8)b.2. FOR ATLANTA JAZZ FESTIVAL YEAR 2013 AND ALLOWING THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS A PERMIT TO DISPLAY BANNERS FOR THE ATLANTA JAZZ FESTIVAL IN THE PUBLIC RIGHT-OF-WAY FOR YEAR 2013; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") produces the Atlanta Jazz Festival ("Jazz Festival") each year for the benefit of citizens and visitors of Atlanta; and

WHEREAS, the 2013 Jazz Festival will mark the 36th year of the Jazz Festival; and

WHEREAS, the Jazz Festival is held throughout the month of May, and includes approximately one hundred free events and approximately five events for which an admission price is charged; and

WHEREAS, the Jazz Festival events annually attract over 300,000 visitors to Atlanta; and

WHEREAS, the City pays for the Jazz Festival from sponsors, vendors, and from revenues generated by Jazz Festival concerts that charge an admission price; and

WHEREAS, due to a downturn in the economy, the amount of revenue generated from sponsorship has decreased significantly; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs ("DPRCA") desires to display one hundred (100) banners in the City's right-of-way for more than thirty (30) days; and

WHEREAS, DPRCA is requesting that the provisions in Sections 138-60(a)(7), and 138-60(a)(8) of the City of Atlanta Code of Ordinances requiring that a base fee of One Hundred Dollars (\$100.00), a deposit of One Thousand Dollars (\$1,000.00), and all per banner per and day fees be waived in support of the Jazz Festival.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS,
as follows:**

SECTION 1: That the Mayor, on behalf of the City, is authorized to waive the provisions contained in Sections 138-60(a)(7) and 138-60(a)(8) of the City Code of Ordinances to allow the waiver, on behalf of DPRCA of the banner permit fee of One Hundred Dollars (\$100.00), the deposit fee of One Thousand Dollars (\$1,000.00) and all per banner and per day fees for the Jazz Festival for year 2013.

SECTION 2: That DPRCA is permitted to display banners for the Jazz Festival in the public right-of-way for year 2013.

SECTION 3: That DPRCA will comply with all other provisions contained in Section 138-60 of the City Code of Ordinances.

SECTION 4: That all ordinances and resolutions in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

Caption: AN ORDINANCE BY CITY UTILITIES COMMITTEE

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Council Meeting Date: March 4, 2013

Requesting Dept.: Department of Parks, Recreation and Cultural Affairs

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

THE PURPOSE OF THIS LEGISLATION IS TO AUTHORIZE THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO WAIVE THE PROVISIONS CONTAINED IN CHAPTER 138, ARTICLE II, DIVISION 6, SECTION 138-60 ENTITLED "FLAGS, BANNERS, SIGNS, DISPLAYS" OF THE CITY OF ATLANTA CODE OF ORDINANCES AND SPECIFICALLY WAIVING THE BANNER DEPOSIT FEE OF ONE THOUSAND DOLLARS (\$1,000.00) PURSUANT TO CODE SECTION 138-60(a)(7), THE BANNER PERMIT FEE OF ONE HUNDRED DOLLARS (\$100.00) PURSUANT TO CODE SECTION 138-60(a)(8) AND ALL PER BANNER AND PER DAY FEES PURSUANT TO CODE SECTIONS 138-60(a)(8)b.1. AND 138-60(a)(8)b.2. FOR ATLANTA JAZZ FESTIVAL YEAR 2013 AND ALLOWING THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS A PERMIT TO DISPLAY BANNERS FOR THE ATLANTA JAZZ FESTIVAL IN THE PUBLIC RIGHT-OF-WAY FOR YEAR 2013

2. Please provide background information regarding this legislation.

3. If Applicable/Known:

- (a) Contract Type:**
- (b) Source Selection:**
- (c) Bids/Proposals Due:**
- (d) Invitations Issued:**
- (e) Number of Bids:**
- (f) Proposals Received:**
- (g) Bidders/Proponents:**
- (h) Term of Contract:**

4. Fund Account Center:

5. Source of Funds:

6. Fiscal Impact:

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Trina Horton, Departmental Contracting Officer

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Trina Horton

Contact Number: (404) 546-6795

Originating Department: Department of Parks, Recreation and Cultural Affairs

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: January 25, 2013

Anticipated Committee Meeting Date(s): February 12, 2013

Anticipated Full Council Date: March 4, 2013

Legislative Counsel's Signature: _____

Commissioner's Signature: _____

Chief Information Officer Signature (for IT Procurements) _____

Chief Procurement Officer Signature: _____

CAPTION

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CITY UTILITIES COMMITTEE

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FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: Adg 1-25-13
(date)

Reviewed by: _____
(date)

Submitted to Council: _____ (date)